

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. **DEC 14 1993**

Returned to applicant for correction. **JAN 27 1994**

Corrected application filed. **FEB 16 1994** Map filed **FEB 16 1994**

The applicant **Desert Utilities, Inc.**
Box 244 of **Pahrump**
Street and No. or P.O. Box No. City or Town
Nevada 89041
State and Zip Code No. hereby make... application for permission to change the
Manner and Place of Use
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under **Permit No. 26358**
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

1. The source of water is **underground**
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **1.177 CFS, 298.15 AF (See attachment.)**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **Municipal**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Quasi-Municipal (subdivision)**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, T.19S., R.53E.,**
Describe as being within a 40-acre subdivision of public survey and by course and
distance to a section corner. If on unsurveyed land, it should be stated.
M.D.M. At a point from which the Northeast corner of said Section 22
bears North 2° 40' East, 4,795 Feet.
6. The existing permitted point of diversion is located within **no change**
If point of diversion is not changed, do not answer.
7. Proposed place of use **Service area of Desert Utilities, Inc. See attachment.**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use **S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22, T.19 S., R. 53 E., (80 acres)**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
and 13 acres of land abutting this parcel on the west in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22, T. 19 S., R. 53 E., and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 27, T. 19 S., R. 53 E.,
(80 Acres).
9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) **See attachment.**
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works **\$260,000**
13. Estimated time required to construct works **one year**

14. Estimated time required to complete the application of water to beneficial use five years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See attachment.

Compared gkl/jv jr/vjw

By Milton L. Sharp, P.E. - Agent
s/ Milton L. Sharp
1005 Terminal Way, #257
Reno, NV 89502

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of the waters of an underground source as heretofore granted under Permit 26358 is issued subject to the terms and conditions imposed in said Permit 26358 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 59604, 59605 and 59606 shall not exceed 508.75 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.177 cubic feet per second but not to exceed 298.15 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 6, 1996

Proof of completion of work shall be filed before February 6, 1996

Application of water to beneficial use shall be made on or before January 6, 1998

Proof of the application of water to beneficial use shall be filed on or before February 6, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUN 14 1996

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 5th day of December,

A.D. 19 94

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

Any cancellation or withdrawal of this permit will result in the water reverting back to the groundwater source and not the base right.



ATTACHMENT

Response to Item 2.

Permit No. 26358 provided an appropriation of 2.625 CFS not to exceed 665 acre feet annually. On June 11, 1992 the State Engineer approved an extension of time for filing proof of beneficial use for 298.15 acre feet annually and canceled 366.85 acre feet of the original appropriation. The extension of time for proof of beneficial use was granted to February 24, 1993. Prior to February 24, 1993, a request for extension of time for an additional year was submitted by the owner to the State Engineer. No action has been taken on the second request for time extension.

This Application applies only to the 298.15 acre feet portion of the original appropriation.

Response to Item 7.

Proposed place of use is the service area for Desert Utilities, Inc. located within the Pahrump Valley of Nye County, Nevada, being portions of Township 19 South, Range 53 East, M.D.M. and more particularly described as follows:

In Section 15, the SW $\frac{1}{4}$ SW $\frac{1}{4}$, the NW $\frac{1}{4}$ SW $\frac{1}{4}$, the NE $\frac{1}{4}$ SW $\frac{1}{4}$,

All of Section 21;

In Section 22, the SW $\frac{1}{4}$ NW $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, the NE $\frac{1}{4}$ excluding therefrom all lands located Westerly from the East right-of-way line of State Highway 160 and the S $\frac{1}{2}$;

All of Section 28, excluding therefrom the SW $\frac{1}{4}$ SE $\frac{1}{4}$;

In Section 27, the N $\frac{1}{2}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Response to Item 11.

Desert Utilities, Inc. is a public utilities company operating under authority granted by the Public Service Commission of the State of Nevada. Desert Utilities, Inc. has acquired water supply and distribution facilities and service obligations of Desert Irrigation, Ltd. and has acquired Desert Irrigation Ltd. rights and interests to water appropriated by Permit No. 26358. A well formerly owned and operated by Desert Irrigation is located at the point of diversion described in Item 5. Service obligations of Desert Irrigation, Ltd. are confined to residential lots and a recreational park located at Allen Estates Subdivision. The lands incorporated into Allen Estates consist of the lands described as the existing place of use in Item 8.



Desert Utilities, Inc. proposes to utilize the existing well and water supply facilities to continue the service obligations to Allen Estates Subdivision. The existing facilities will be modified and improved as described hereafter. In addition, Desert Utilities, Inc. proposes to provide for construction of facilities necessary for service to the first phase of a development referred to as Desert Trails. The facilities involved in extension of services to the Desert Trails will provide for delivery of water appropriated by Permit No. 26358 outside the Allen Estates Subdivision area and eventually mingling of water appropriated by Permit No. 26358 with water appropriated by other Permits and Certificates owned or controlled by Desert Utilities, Inc. The improvements described hereafter are the first phase of development of a comprehensive water supply and distribution system proposed by Desert Utilities, Inc. to provide service throughout the service area described.

Works of improvements proposed for existing facilities will consist of the following:

1. A new pump and motor will be installed in the existing well in order to provide minimum pumping capacity of 450 gallons per minute.
2. A 212,000 gallon water storage tank will be constructed adjacent to the well site.
3. A booster pump station will be constructed in order to deliver water from the storage tank to existing development features in the Allen Estates Subdivision and to new development proposed for the Desert Trails Subdivision. The booster station will include two booster pumps for normal service demand, a fire demand booster pump and appurtenant piping, valves and fittings. The normal service booster pumps will provide water service for Allen Estates Subdivision and the Desert Trails development at 112 feet operating head (48.5 pounds per square inch). The fire booster pump will provide for delivery of 1,000 gallons per minute fire flow to any fire hydrant within Allen Estates or the first phase of the Desert Trails development.
4. An existing hydro-pneumatic tank will be repaired or improved in order to provide operating control of the booster pump station.
5. An automatic control system activated by high and low water levels in the storage tank for operation of the well pump will be constructed.
6. Controls for automatic operation of the booster pumping station utilizing high and low water levels in the hydro-pneumatic tank to activate service demand booster pumps and to activate fire booster pump will be installed.
7. Existing backup power plant will be repaired or replaced in order to assure continued operation of service booster pumps and fire booster pump in the event of power failure.
8. Improvements to the existing internal water distribution system of Allen Estates will be constructed, including



approximately 1,850 linear feet of 8 inch diameter water main, approximately 2,250 linear feet of 6 inch diameter water main, 4 fire hydrants, appurtenant valves and fittings and service laterals for existing lots currently serviced by a temporary system.

Works of improvements proposed for extension of service to the Desert Trails development will consist of the following:

9. Approximately 3,000 linear feet of 12 inch diameter water main interconnecting the existing water system in Allen Estates and the internal water distribution system for the first phase of the Desert Trails development will be constructed.

Response to Item 15.

Following is a water budget for use of water heretofore appropriated by Permit No. 26358 representing the first phase of development of Desert Utilities, Inc. water supply and distribution system.

WATER BUDGET
DESERT UTILITIES, INC.
FIRST PHASE OF DEVELOPMENT

Water Supply:

Permit No. 26358

298.15 AF/YR

Estimated Water Use:

Recreation Park in
Allen Estates Sub.
(Total area 9.0 acres,
estimated irrigated area
6.0 Acres)

Water use, 6.0 acres @
5.0 AF/AC

30.00 AF/YR

Single family lots
located in Allen Estates,
Desert Trails and/or other
portions of the service area,
Approx. 362 lots @ .74 acre
feet per year

Total

268.15 AF/YR
298.15 AF/YR

NOTE; BASES OF WATER USE PROJECTION:

Water demand for residential lots is estimated as .74 acre feet per year for lots of 16,000 to 19,000 square feet. Demand for the 9 acre park is based



on duty of 5.0 acre feet per acre for irrigated areas. Estimated residential demand rate is based on experience of the Public Service Commission and the Central Nevada Utilities Company, an established public utilities company providing water service to customers in the Pahrump Valley. The water use projection is an estimate only and actual water use will be determined and controlled by metering of the water at the point of diversion and for individual customers. Actual number of residential lots served could increase or decrease based on actual water use

